

BEFORE THE DEPARTMENT OF BANKING AND CONSUMER FINANCE

IN THE MATTER OF:

ORDER NO. 2002 - 03

**A-Deal, Inc.
1241 Pass Road
Gulfport, MS 39501**

RESPONDENT

ORDER

THIS CAUSE came on for hearing on October 24, 2002, before the Commissioner of the Mississippi Department of Banking and Consumer Finance ("DBCF"), at the Woolfolk Building in Jackson, Mississippi, upon due and proper notice, according to law.

The Respondent, A-Deal, Inc., a Mississippi corporation, appeared through its representative, Mr. Louis Benowitz, with stockholders and sole owners of A-Deal, Inc. being Mr. Louis Benowitz and Mr. Theodore Benowitz. Mr. Louis Benowitz acknowledged he had received written notice of the violations of the Mississippi Check Casher Act, 75-67-501, *et seq.* with which the Respondent, A-Deal, Inc., had been charged, said written notice having been provided to them by way of a copy of a Report of Examination dated August 5, 2002, prepared by an examiner of the DBCF. Mr. Benowitz stated on the record that he understood the violations set forth in the Report of Examination and stated that he did not desire that a formal reading of the charges set forth in the Report of Examination be made into the record. Introduced into the record as exhibits to these proceedings were (1) a copy of the notice setting this matter for hearing on September 24, 2002, which hearing was requested by the Respondent, (2) a copy of the Report of Examination and the exhibits referenced therein, and (3) the underlying documents that were summarized in the exhibits referenced in the Report of Examination.

The Commissioner heard evidence presented by the oral testimony of Examiner Benjamin

Burrell, and reviewed and considered the exhibits introduced into the record by and through Mr. Burrell which formed the underlying basis of the violations of the Mississippi Check Casher Act, as same were noted in the Report of Examination. The Commissioner also heard evidence presented by the oral testimony of Mr. Benowitz in explanation of his response to the violations of law for which the Respondent had been cited.

The Commissioner having fully considered the matter, and being fully informed and advised in the premises, finds from the evidence presented and introduced into the record as follows:

1. The Commissioner has jurisdiction over the Respondent and Licensee, A-Deal, Inc.
2. That Respondent committed fourteen (14) violations of Miss. Code Section 75-67-519(5), which states: "No check cashed under the provisions of this section shall be repaid by the proceeds of another check cashed by the same licensee of any affiliate of the licensee. A licensee shall not renew or otherwise extend any delayed deposit check." The fourteen violations are more specifically identified by name in Exhibit A referenced in the Report of Examination. These fourteen violations resulted in overcharges to the affected customers in the total sum of \$839.61.

IT IS, THEREFORE, ORDERED that the Respondent should be and is hereby assessed a civil monetary penalty of One Thousand Dollars (\$1,000.00) for the fourteen (14) violations of Miss. Code Section 75-67-519(5) noted above in paragraph 2, which shall be paid within ten (10) days of the date of this Order, payable to Department of Banking and Consumer Finance, Consumer Finance Fund. In addition, with regard to each of the fourteen customers noted in Exhibit A in the Report of Examination, the Respondent shall refund to them the overcharges as set forth in Exhibit A. The Respondent will document its refund of the said overcharges and furnish proof thereof to

the DBCF within ten (10) days of receipt of a copy of this Order.

IT IS FURTHER ORDERED that the Commissioner retains jurisdiction over this Respondent and this matter until such time as compliance with the terms of this Order have been fully satisfied and completed.

SO ORDERED, this the ____ day of _____, 2002.

JOHN S. ALLISON, COMMISSIONER
Department of Banking and Consumer Finance